

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

517I0262

HOUSE BILL NO. 1143

Introduced by: Representative Madsen

1 FOR AN ACT ENTITLED, An Act to revise the amount at which a child's medical costs trigger
2 apportionment between the parents in proportion to their support obligation.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 25-7-6.16 be amended to read as follows:

5 25-7-6.16. The court may enter an order for health and dental insurance coverage. Medical
6 insurance shall be provided for the benefit of the minor child whenever practical. The cost of the
7 insurance attributable to the child shall be determined by dividing the out-of-pocket cost of the
8 insurance to the parent by the number of individuals insured thereunder. However, if information
9 is provided at the time of hearing regarding the actual additional costs for the child's share of the
10 insurance, that figure shall be used. The cost so computed shall be apportioned between the
11 parents on the basis of income or income imputed as provided in §§ 25-7-6.1 to 25-7-6.17,
12 inclusive. If one parent pays the entire amount, that parent shall either be reimbursed by the other
13 parent for that parent's portion of the payment or shall receive a credit against his or her support
14 obligation, whichever is appropriate. Any additional, reasonable medical costs, including
15 optometric, dental or orthodontic, counseling, or other health care costs for each minor child
16 which exceed ~~two hundred fifty~~ five hundred dollars in any year and are not covered by



- 1 insurance, shall be apportioned between the parents in proportion to the support obligation of
- 2 each parent.